CERTIFIED MAIL# 9589 0710 5270 1970 0168 52

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# UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

#### In the Interest of the Public For the Matter of

Defendant

### **MEMO ENDORSED**



In re: :Justinas: Butkus
Real party in interest (jus personarum)

UNITED STATES
Plaintiff
v.

JUSTINAS BUTKUS
Infant / Minor

Directly and/or indirectly associated with the property of a minor/infant

Case No. 25 CRIM 100 / 24 MAG 3223

REQUEST FOR JUDGE FAILLA

May 3<sup>rd</sup>, 2025

## REQUEST FOR MODIFICATION TO LOCATION MONITORING PROGRAM AND RETURN OF PROPERTY

 $\omega$   $\omega$   $\omega$   $\omega$   $\omega$   $\omega$   $\omega$   $\omega$   $\omega$   $\omega$ 

I, :Justinas: Butkus, am requesting that you, Judge Failla, direct the Government to return my property to me by way of the Pretrial Services Office in North Georgia for me to retrieve. I am also requesting that you direct Pretrial Services Office in North Georgia to modify my Location Monitoring program restriction level.

Let it be known that I have had my ability to conduct my family business as a dog breeder severely constricted when my cell phone, which contained all my clientele's contacts, along with other property that was not listed on any search and seizure warrant, was taken by the government from my residence on December 11, 2024, which has resulted in loss of income for my family business. Also, the restriction of my movement during home detention, which has now been for a duration of one hundred and forty-nine (149) days, has also encumbered my ability to rehome my puppies and

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meet clients in a public setting to complete the transactions. The opportunities to meet clients could happen at any reasonable hour but with my current restrictions, the opportunities are missed, and my puppies are growing along with the expenses for their upkeep. Take into consideration that I have been in full compliance with the conditions and requirements of my restriction program, and I've had no violations. Also, I have no criminal history.

Furthermore, since my wife, who was pregnant at the time of my arrest on December 11<sup>th</sup>, 2024, witnessed and experienced trauma during my arrest which resulted in the stress induced labor of my son hours after my arrest, she is still experiencing physical distress postpartum and has difficulties doing simple tasks such as driving or lifting heavier objects. I am the main caretaker and provider for my wife, newborn son, and stepdaughter.

Let it also be known that as I've been an athlete my entire life and very physically active, and having a history of respiratory and thyroid issues, my health has declined due to the sudden restriction of my physical activity and in order for me to make doctor appointments, which I am entitled to in my program conditions, I must have a form of ID so I am requesting my doctor's appointments to be added to my list of permitted uses of my passport.

With these facts in mind, I am requesting that you direct the following:

- The government to release my property that was not listed on any warrant, including my cell phone, to the Pretrial Services Office in North Georgia for me to retrieve.
- 2) My Location Monitoring restriction level be modified to a curfew to be imposed no later than 9:00pm to 9:00am every day so that I may conduct business for my family business.

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REQUEST FOR JUDGE FAILLA

3) The Pretrial Services Office in North Georgia to be permitted to release my passport to me temporarily for prescheduled doctor appointments.

#### 28 USC 1746(1)

"I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 3<sup>rd</sup> day of May, 2025.

Under Reserve, Without Prejudice

Autographed By:

:Justinas: Butkus

Beneficiary and Title Interest Holder

For JUSTINAS BUTKUS

The Court has reviewed Mr. Butkus's above requests and will discuss them at the conference scheduled for May 22, 2025, at 10:00 a.m.

The Clerk of Court is directed to terminate the pending motion at docket entry 50 and to mail a copy of this endorsement to Mr. Butkus at his address of record.

Dated: May 19, 2025

New York, New York

SO ORDERED.

HON. KATHERINE POLK FAILLA

Katherin Palle Fails

UNITED STATES DISTRICT JUDGE